

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

IN RE:

KATHLEEN R. VANSICKLE

CASE NUMBER: 15-60832

CHAPTER 13

DEBTORS

JUDGE KENDIG

DEBTOR'S AMENDED MOTION TO DISMISS CHAPTER 13

Now come the Debtor Kathleen R. Vansickle, by and through the undersigned counsel, and hereby move this court for an order dismissing this case pursuant to 11 U.S.C. §1307(b) for the reasons more fully explained in the accompanying Memorandum in Support.

Respectfully submitted,

/s/ Kathleen R. Vansickle
Debtor

/s/ Rose M. Fox
Rose M. Fox (0069394)
Fox Law Office
233 Main Street
Zanesville, Ohio 43701
Phone: 740-452-9311
Fax: 740-452-0455
Email: rfox@rrohio.com
Attorney for the Debtors

MEMORANDUM IN SUPPORT

Debtor originally filed for Chapter 7 relief on April 20, 2015; the case was converted to a Chapter 13 filing on June 24, 2015. The Debtor's Chapter 13 was subsequently confirmed on June 2, 2016. Due to economic issues, Debtor is no longer able to comply with her Chapter 13 Plan and has not made a payment since November 2016. Debtor wishes to have the Chapter 13 case dismissed. Pursuant to 11 U.S.C. §1307(c), for cause, the Court may dismiss a Chapter 13 petition. Debtor believes that failure to make timely payments would be cause to have the Chapter 13 case be dismissed. Wherefore, the Debtor respectfully requests this Court to issue an Order dismissing her Chapter 13 case and for such other relief as may be appropriate.

Respectfully submitted,

/s/ Rose M. Fox

Rose M. Fox (0069394)

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Attorney for the Debtor

NOTICE OF MOTION TO DISMISS AND NOTICE OF DEADLINES

Debtor, Kathleen R. VanSickle, has filed a Motion with this Court to Dismiss this case.

The Debtor shall have until February 3, 2017 to file a brief in support of her motion.

Trustee shall have until February 17, 2017 to file a responsive brief.

/s/ Rose M. Fox
Rose M. Fox, 0069394
Attorney for Debtor

NOTICE AND CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing attached request for relief was served this date on the parties whose names and addresses are listed below, by regular U.S. mail, postage pre-paid or electronically mailed and for **NOTICE** that the attached request for relief has been filed with the Court. The undersigned will present to the Court a proposed order granting the relief sought unless, within twenty-one (21) days after this date a written Memorandum in Opposition, along with a request for a hearing on such opposition, is filed with the Court and served on the undersigned.

February 1, 2017

/s/ Rose M. Fox
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Attorney for Debtors

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Lisa M. Barbacci, Trustee-Canton, barbaccitrustee@gmail.com,
lbarbacci@ecf.epiqsystems.com

James H. Cannon, jcannon@barrenmerrylaw.com

Rose M. Fox, rfox@rrochio.com

Toby L. Rosen, trosen@chapter13canton.com, trosen@ecf.epiqsystems.com

United States Trustee (Registered address) usdoj.gov

Toby L Rosen trose14 rseiler@chapter13canton.com

And on the following by regular U.S. Mail addressed to:

Toby L. Rosen, Chapter 13 Trustee, 400 W Tuscarawas St., Charter One Bank Bldg, 4th Floor,
Canton, OH 44702

Rose M. Fox, Attorney for Debtor, 233 Main Street, Zanesville, Ohio 43701

Kathleen R. VanSickle, Debtor, 102 East Main Street, Baltic, Ohio 43804

All listed Creditors

AEP Ohio Power, P.O. Box 24404, Canton, OH 44701-4404

Ally, P.O. Box 380902, Minneapolis, MN 55438-0902

Ally Financial, P.O. Box 130424, Roseville, MN 55113-0004

American InfoSource LP as agent for DIRECTV, LLC, P.O. Box 51178, Los Angeles, CA 90051-5478

Bank of America, P.O. Box 15019, Wilmington, DE 19886

CBCS, P.O. Box 2589, Columbus, OH 43216

Chase Bank, P.O. Box 15153, Wilmington, DE 19850-5298

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Columbia Gas OH Ohio, P.O. Box 117, Columbus, OH 43216-0117
Coshocton County Treasurer, 349 Main Street, Coshocton, OH 43812
Coshocton County Water Department, 760 Chestnut Street, Coshocton, OH 43812
Dell Financial Services, P.O. Box 4125, Carol Stream, IL 60197-4125
Dell Financial Services, LLC, Resurgent Capital Services, P.O. Box 10390, Greenville, SC 29603-0390
DirecTV, P.O. Box 6414, Carol Stream, IL 60197-6414
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Peoples Bank fka Ohio Heritage Bank, P.O. Box 1000, Coshocton, OH 43812
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